

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF OKLAHOMA

In re:)
)
Clifton D. & Mary A. Randall,) Case No. 20-12418-JDL
) (ch. 12)
Debtors.)

**DEBTORS' MOTION FOR ABANDONMENT OF PROPERTY,
SUPPORTING MEMORANDUM
AND NOTICE OF OPPORTUNITY FOR HEARING**

Come now Clifton D. and Mary A. Randall ("Debtors") and, pursuant to Title 11 U.S.C. 554, F.R.B.P. 6007 and Local Rule 6007-1, request that they be allowed to abandon certain property of their chapter 12 estate and in support hereof state:

1. Debtors filed this case on July 20, 2020 and continue to serve as debtors-in-possession herein.
2. A component of the property owned by them is a herd of cattle consisting of approximately thirty-one head of beef cattle, thirty-six head of cows and five bulls.
3. Debtors are in the process of drafting their chapter 12 reorganization plan which plan will provide for the surrender of the above cattle to the creditor having a first security interest in such cattle, BancFirst, Frederick, Oklahoma.
4. Debtors further intend for their plan to provide for the surrender of a large portion of the farm and pasture land owned by them. They do not believe the land they intend to retain under their plan will be sufficient to provide adequate feed for the cattle during the upcoming fall and winter months.

Supporting Memorandum

Title 11 U.S.C. 554 provides, after notice and hearing, a trustee (or debtor-in-possession) may abandon any property of the estate that is burdensome to the estate. F.R.B.P. 6007(a) requires

a debtor-in-possession provide fourteen days notice of a proposed abandonment to the U.S. Trustee, all creditors, indenture trustees and committees. Only if an objection is filed by a party in interest shall the abandonment request be set for a hearing. Because the current year has provided an abundant supply of rain, the pastures owned by Debtors have supported their cattle providing them sufficient feed to maintain their health. The upcoming cold weather of fall and winter will inhibit the growth of grass on Debtor's pasture land with the result they do not believe their cattle will have sufficient grass on which to feed. Debtors do not have funds available to provide hay as feed for the cattle once their pasture land goes dormant. Under these conditions, Debtors believe the cattle are burdensome to their estate.

Accordingly, Debtors request that they be allowed to abandon the above listed cattle to the creditor holding the first lien thereon, BancFirst, Frederick, Oklahoma, and that upon entry of an order approving this motion the order contain a provision directing the secured creditor, BancFirst, Frederick, Oklahoma to immediately take possession of such cattle.

Dated: October 7, 2020.

S/Gary L. Morrissey

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Certificate of Service

I hereby certify that on this 7th day of October, 2020, a true and correct copy of the above motion was served by the ECF system of Clerk of this Court to: Lonnie Eck, Esq., peck@eckchapter13.com, chapter 12 trustee; United States Trustee, Ustpregion20.oc.ecf@usdoj.gov; and mailed first class U.S. Mail, postage prepaid to the creditors listed on Exhibit A below.

S/Gary L. Morrissey

Gary L. Morrissey

BancFirst 200 N Main Street Frederick OK 73542-0000	Bank of America P O Box 982238 El Paso TX 79998-2235	Capital One NA P O Box 30281 Salt Lake City UT 84130-0281
Care Credit Synchrony Financial P O Box 965035 Dayton FL 32893-5035	Chase P O Box 94014 Palatine IL 60094-4014	Citicards CBNA P O Box 790034 Attn Bankruptcy Saint Louis MO 63179-0000
Comenity Capital Bank/ulta P O Box 659820 San Antonio TX 78265-9120	Discover Financial Services P O Box 15316 Wilmington DE 19850-0000	JCPMB Card Services P O Box 15369 Wilmington DE 19850-0000
John Deere Financial P O Box 5328 Madison WI 53703-0328	Kohls/Capital One P O Box 3120 Milwaukee WI 53201-0000	Office Max P O Box 9025 Des Moines IA 50368-9025
Pay Pal P O Box 960080 Orlando FL 32896-0080	Sears Bankruptcy Recovery Management Services Inc P O Box 3671 Urbandale IA 50322-0674	SYNC/Lowes P O Box 965005 Orlando FL 32896-0000
SYNC/Sams Club P O Box 965005 Orlando FL 32896-0000	US Bank P O Box 6310 Fargo ND 58125-0000	USAA Master Card/Visa USAA Building San Antonio TX 78288-0001
Wells Fargo Card Services P O Box 29486 Phoenix AZ 85038-9486	Zulily Credit Card P O Box 530993 Atlanta GA 30353-0993	

Exhibit A

NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102 no later than 14 days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response or objection to the undersigned movant/movant's attorney and others who are required to be served] and file a certificate of service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

The 14 day period includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f).